EXHIBIT 12

Electronic Acknowledgement Receipt

EFS ID:	36968149
Application Number:	16383561
International Application Number:	
Confirmation Number:	5592
Title of Invention:	Zone Scene Management
First Named Inventor/Applicant Name:	Robert A. Lambourne
Customer Number:	135176
Filer:	Brandon Jacob Kennedy
Filer Authorized By:	
Attorney Docket Number:	07-0901-CON0419A
Receipt Date:	23-AUG-2019
Filing Date:	12-APR-2019
Time Stamp:	21:50:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		07-0901-CON0419A_Response_to_NFOA.pdf	191626 39a0468988fe22764fea5abf5746a08a02205a55	yes	23

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Specification	2	3
Claims	4	17
Applicant Arguments/Remarks Made in an Amendment	18	23

Warnings:

Information:

Total Files Size (in bytes):	191626

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
<u>National Stage of an International Application under 35 U.S.C. 371</u>
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Case No. 07-0901-CON0419A

In re Application of:

   Sonos, Inc.

Serial No.: 16/383,561

Filing Date: July 9, 2018

Title: Zone Scene Management

Confirmation No.: 5592

Examiner: McCord, Paul C.

Group Art Unit: 2656

RESPONSE TO NON-FINAL OFFICE ACTION
MAILED JULY 5, 2019

In response to the Non-Final Office Action mailed July 5, 2019, Applicant submits the following amendments and remarks.

Specification Amendments begin at page 2.

Claim Amendments begin at page 4.

Remarks begin at page 18.

Applicant believes that all fees required for the present response have been filed during the electronic filing process. Applicant authorizes the office to charge any underpayment or credit any overpayment to Deposit Account No. 506632, and to treat any filing in this matter that requires an extension of time as incorporating a request for the extension.

1

SPECIFICATION AMENDMENTS

- Please amend current paragraphs [0026] and [0027] of the specification as indicated below.

[0026]   FIG. 5C shows a user interface to allow a user to adjust a volume level of the zone players in a zone scene individually or collectively; ~~and~~

[0027]   FIG. 6 shows a flowchart or process of providing a player theme or a zone scene for a plurality of players, where one or more of the players are placed in a zone; and [[.]]

- Please insert the following new paragraphs into the specification immediately after current paragraph [0027] and update all subsequent paragraph numbers. The described Figures 7 and 8 are attached, each bearing the label "New Sheet" in the top margin.

[0028]   FIG. 7 shows an example user interface for invoking a zone scene; and

[0029]   FIG. 8 shows another example user interface for invoking a zone scene.

- Please amend current paragraph [0060] of the specification as indicated below, which will become paragraph [0062] to reflect the new paragraphs [0028] and [0029] above.

[0062]   FIG. 5B shows another user interface 520 to allow a user to form a scene. The user interface 520 that may be displayed on a controller or a computing device, lists available zones in a system. The list of zones in the user interface 520 includes ALL the zones in the system, including the zones that are already grouped. A checkbox is provide next to each of the zones so that a user may check in the zones to be associated with the scene.

2

- Please insert the following new paragraphs into the specification immediately after current paragraph [0066], which will become paragraph [0068] to reflect the new paragraphs [0028] and [0029] above.

[0069]   FIG. 7 shows an example user interface for invoking a zone scene. The user interface of Figure 7 shows a Zone Menu that includes selectable indications of zone scenes.

[0070]   FIG. 8 shows another example user interface for invoking a zone scene. Figure 8 shows a Zone Menu that includes a softkey indicating a Scenes menu. Pressing the Scenes softkey will show the Scenes menu where all the available zone scenes are shown as selectable indications.

3

CLAIM AMENDMENTS

1.   (Currently Amended) A <u>first zone player</u> ~~playback device~~ comprising:

<u>a network interface that is configured to communicatively couple the first zone player to</u>

<u>at least one data network;</u>

one or more processors;

a non-transitory computer-readable medium; and

program instructions stored on the non-transitory computer-readable medium that, when

executed by the one or more processors, cause the <u>first zone player</u> ~~playback device~~ to perform

functions comprising:

while operating in a <u>standalone mode in which the</u> first zone <u>player is configured</u>

<u>to play back media individually in</u> [[of]] a <u>networked</u> media playback system[[,]]

<u>comprising the first zone player and at least two other zone players:</u>

(i) receiving, from a network device over a data network, a first indication

that the first zone <u>player</u> has been added to a first zone scene comprising a first

~~preconfigured~~ <u>predefined</u> grouping of ~~zones~~ <u>zone players</u> including at least the

first zone <u>player</u> and a second zone <u>player</u> that are to be configured for

synchronous playback of media when the first zone scene is invoked; <u>and</u>

(ii) receiving, from the network device over the data network, a second

indication that the first zone <u>player</u> has been added to a second zone scene

comprising a second ~~preconfigured~~ <u>predefined</u> grouping of ~~zones~~ <u>zone players</u>

including at least the first zone <u>player</u> and a third zone <u>player</u> that are to be

configured for synchronous playback of media when the second zone scene is

invoked, wherein the second zone <u>player</u> is different than the third zone <u>player;</u>

4

after receiving the first and second indications, continuing to operate in the standalone mode until a given one of the first and second zone scenes has been selected for invocation;

after [[a]] the given one of the first and second zone scenes has been selected for invocation, receiving, from the network device over the data network, an instruction to operate in accordance with [[the]] a given one of the first and second zone scenes respectively comprising a given one of the first and second predefined groupings of zone players; and

based on the instruction, beginning transitioning from operating in the standalone mode to operate operating in accordance with the given one of the first and second zone scenes predefined groupings of zone players such that the first zone player playback device is configured to coordinate with at least one other zone player in the given one of the first and second predefined groupings of zone players over a data network in order to play back audio media in synchrony with one or more other playback devices in the media playback system the at least one other zone player in the given one of the first and second predefined groupings of zone players.

2.   (Currently Amended) The first zone player playback device of claim 1, wherein the instruction to operate in accordance with the given one of the first and second zone scenes comprises an instruction to operate in accordance with the first zone scene, and wherein beginning transitioning from operating in the standalone mode to operate operating in accordance with the given one of the first and second zone scenes predefined groupings of zone players comprises beginning transitioning from operating in the standalone mode to operate

5

operating in accordance with the first predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate with at least the second zone player to play back ~~audio~~ media in synchrony with ~~one or more other playback devices of the second zone~~ at least the second zone player.

3.   (Currently Amended) The first zone player ~~playback device~~ of claim 2, wherein the instruction is a first instruction, and wherein the first zone player ~~playback device~~ further comprises program instructions stored on the non-transitory computer-readable medium that, when executed by the one or more processors, cause the first zone player ~~playback device~~ to perform functions comprising:

while operating in accordance with the first predefined grouping of zone players ~~zone scene~~, receiving, from the network device over the data network, a second instruction to operate in accordance with the second predefined grouping of zone players ~~zone scene~~; and

based on the second instruction, (a) ceasing to operate in accordance with the first predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is no longer configured to coordinate with at least the second zone player to play back ~~audio~~ media in synchrony with at least the second zone player ~~the one or more other playback devices in the second zone~~ and (b) beginning to operate in accordance with the second predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate with at least the third zone player to play back ~~audio~~ media in synchrony with ~~one or more other playback devices in the third zone~~ at least the third zone player.

6

4.   (Currently Amended) The first zone player ~~playback device~~ of claim 2, wherein the first

zone scene further comprises an indication of predetermined media to be played when the first

zone scene is invoked, and wherein the first zone player ~~playback device~~ further comprises

program instructions stored on the non-transitory computer-readable medium that, when

executed by the one or more processors, cause the first zone player ~~playback device~~ to perform

functions comprising:

based on the instruction, coordinating with at least the second zone player to play ~~playing~~

back the predetermined media in synchrony with ~~the one or more other playback devices in the~~

~~second zone~~ at least the second zone player.

5.   (Currently Amended) The first zone player ~~playback device~~ of claim 1, wherein the

instruction to operate in accordance with the given one of the first and second zone scenes

comprises an instruction to operate in accordance with the second zone scene, and wherein

~~beginning~~ transitioning from operating in the standalone mode to ~~operate~~ operating in

accordance with the given one of the first and second ~~zone scenes~~ predefined groupings of zone

players comprises ~~beginning~~ transitioning from operating in the standalone mode to ~~operate~~

operating in accordance with the second predefined grouping of zone players ~~zone scene~~ such

that the first zone player ~~playback device~~ is configured to coordinate with at least the third zone

player to play back ~~audio~~ media in synchrony with ~~one or more other playback devices of the~~

~~third zone~~ at least the third zone player.

6.   (Currently Amended) The first zone player ~~playback device~~ of claim 5, wherein the

instruction is a first instruction, and wherein the first zone player ~~playback device~~ further

7

comprises program instructions stored on the non-transitory computer-readable medium that, when executed by the one or more processors, cause the <u>first zone player</u> ~~playback device~~ to perform functions comprising:

while operating in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~, receiving, from the network device over the data network, a second instruction to operate in accordance with the first <u>predefined grouping of zone players</u> ~~zone scene~~; and

based on the second instruction, (a) ceasing to operate in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is no longer configured to <u>coordinate with at least the third zone player to</u> play back ~~audio~~ <u>media</u> in synchrony <u>with at least the third zone player</u> ~~the one or more other playback devices in the third zone~~ and (b) beginning to operate in accordance with the first <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is configured to <u>coordinate with at least the second zone player to</u> play back ~~audio~~ <u>media</u> in synchrony with ~~one or more other playback devices in the second zone~~ <u>at least the second zone player</u>.

7.   (Currently Amended) The <u>first zone player</u> ~~playback device~~ of claim 1, wherein the first ~~preconfigured~~ <u>predefined</u> grouping of ~~zones~~ <u>zone players</u> does not include the third zone <u>player</u>, and wherein the second ~~preconfigured~~ <u>predefined</u> grouping of ~~zones~~ <u>zone players</u> does not include the second zone <u>player</u>.

8.   (Currently Amended) A non-transitory computer-readable medium, wherein the non-transitory computer-readable medium is provisioned with program instructions that are executable to cause a <u>first zone player</u> ~~playback device~~ to perform functions comprising:

8

while operating in a <u>standalone mode in which the</u> first zone <u>player is configured to play</u> <u>back media individually in</u> [[of]] a <u>networked</u> media playback system[[,]] <u>comprising the first</u> <u>zone player and at least two other zone players:</u>

(i) receiving, from a network device over a data network, a first indication that the first zone <u>player</u> has been added to a first zone scene comprising a first ~~preconfigured~~ <u>predefined</u> grouping of ~~zones~~ <u>zone players</u> including at least the first zone <u>player</u> and a second zone <u>player</u> that are to be configured for synchronous playback of media when the first zone scene is invoked<u>; and</u>

(ii) receiving, from the network device over the data network, a second indication that the first zone <u>player</u> has been added to a second zone scene comprising a second ~~preconfigured~~ <u>predefined</u> grouping of ~~zones~~ <u>zone players</u> including at least the first zone <u>player</u> and a third zone <u>player</u> that are to be configured for synchronous playback of media when the second zone scene is invoked, wherein the second zone <u>player</u> is different than the third zone <u>player</u>;

<u>after receiving the first and second indications, continuing to operate in the standalone</u> <u>mode until a given one of the first and second zone scenes has been selected for invocation;</u>

after [[a]] <u>the</u> given one of the first and second zone scenes has been selected for invocation, receiving, from the network device over the data network, an instruction to operate in accordance with [[the]] <u>a</u> given one of the first and second zone scenes <u>respectively comprising a</u> <u>given one of the first and second predefined groupings of zone players</u>; and

based on the instruction, ~~beginning~~ <u>transitioning from operating in the standalone mode</u> to ~~operate~~ <u>operating</u> in accordance with the given one of the first and second ~~zone scenes~~ <u>predefined groupings of zone players</u> such that the <u>first zone player</u> ~~playback device~~ is

9

configured to coordinate with at least one other zone player in the given one of the first and second predefined groupings of zone players over a data network in order to play back ~~audio~~ media in synchrony with ~~one or more other playback devices in the media playback system~~ the at least one other zone player in the given one of the first and second predefined groupings of zone players.

9.   (Currently Amended) The non-transitory computer-readable medium of claim 8, wherein the instruction to operate in accordance with the given one of the first and second zone scenes comprises an instruction to operate in accordance with the first zone scene, and wherein ~~beginning~~ transitioning from operating in the standalone mode to ~~operate~~ operating in accordance with the given one of the first and second ~~zone scenes~~ predefined groupings of zone players comprises ~~beginning~~ transitioning from operating in the standalone mode to ~~operate~~ operating in accordance with the first predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate with at least the second zone player to play back ~~audio~~ media in synchrony with ~~one or more other playback devices of the second zone~~ at least the second zone player.

10.   (Currently Amended) The non-transitory computer-readable medium of claim 9, wherein the instruction is a first instruction, and wherein the non-transitory computer-readable medium is also provisioned with program instructions that, when executed by the one or more processors, cause the first zone player ~~playback device~~ to perform functions comprising:

while operating in accordance with the first <u>predefined grouping of zone players</u> ~~zone scene~~, receiving, from the network device over the data network, a second instruction to operate in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~; and

based on the second instruction, (a) ceasing to operate in accordance with the first <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is no longer configured to <u>coordinate with at least the second zone player to</u> play back ~~audio~~ <u>media</u> in synchrony <u>with at least the second zone player</u> ~~the one or more other playback devices in the second zone~~ and (b) beginning to operate in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is configured to <u>coordinate with at least the third zone player to</u> play back ~~audio~~ <u>media</u> in synchrony with ~~one or more other playback devices in the third zone~~ <u>at least the third zone player</u>.

11.   (Currently Amended) The non-transitory computer-readable medium of claim 9, wherein the first zone scene further comprises an indication of predetermined media to be played when the first zone scene is invoked, and wherein the non-transitory computer-readable medium is also provisioned with program instructions that, when executed by the one or more processors, cause the <u>first zone player</u> ~~playback device~~ to perform functions comprising:

based on the instruction, <u>coordinating with at least the second zone player to play</u> ~~playing~~ back the predetermined media in synchrony with ~~the one or more other playback devices in the second zone~~ <u>at least the second zone player</u>.

12.   (Currently Amended) The ~~playback device~~ <u>non-transitory computer-readable medium</u> of claim 8, wherein the instruction to operate in accordance with the given one of the first and

11

second zone scenes comprises an instruction to operate in accordance with the second zone

scene, and wherein ~~beginning~~ transitioning from operating in the standalone mode to ~~operate~~

operating in accordance with the given one of the first and second ~~zone scenes~~ predefined

groupings of zone players comprises ~~beginning~~ transitioning from operating in the standalone

mode to ~~operate~~ operating in accordance with the second predefined grouping of zone players

~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate with at

least the third zone player to play back ~~audio~~ media in synchrony with ~~one or more other~~

~~playback devices of the third zone~~ at least the third zone player.

13.   (Currently Amended) The ~~playback device~~ non-transitory computer-readable medium of

claim 12, wherein the instruction is a first instruction, and wherein the non-transitory computer-

readable medium is also provisioned with program instructions that, when executed by the one or

more processors, cause the first zone player ~~playback device~~ to perform functions comprising:

while operating in accordance with the second predefined grouping of zone players ~~zone~~

~~scene~~, receiving, from the network device over the data network, a second instruction to operate

in accordance with the first predefined grouping of zone players ~~zone scene~~; and

based on the second instruction, (a) ceasing to operate in accordance with the second

predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is

no longer configured to coordinate with at least the third zone player to play back ~~audio~~ media in

synchrony with at least the third zone player ~~the one or more other playback devices in the third~~

~~zone~~ and (b) beginning to operate in accordance with the first predefined grouping of zone

players ~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate

12

with at least the second zone player to play back ~~audio~~ media in synchrony with ~~one or more~~ ~~other playback devices in the second zone~~ at least the second zone player.

14. (Currently Amended) The ~~playback device~~ non-transitory computer-readable medium of claim 8, wherein the first ~~preconfigured~~ predefined grouping of ~~zones~~ zone players does not include the third zone player, and wherein the second ~~preconfigured~~ predefined grouping of ~~zones~~ zone players does not include the second zone player.

15. (Currently Amended) A method executed by a first zone player ~~playback device~~, the method comprising:

while operating in a standalone mode in which the first zone player is configured to play back media individually in [[of]] a networked media playback system[[,]] comprising the first zone player and at least two other zone players:

(i) receiving, from a network device over a data network, a first indication that the first zone player has been added to a first zone scene comprising a first ~~preconfigured~~ predefined grouping of ~~zones~~ zone players including at least the first zone player and a second zone player that are to be configured for synchronous playback of media when the first zone scene is invoked; and

(ii) receiving, from the network device over the data network, a second indication that the first zone player has been added to a second zone scene comprising a second ~~preconfigured~~ predefined grouping of ~~zones~~ zone players including at least the first zone player and a third zone player that are to be configured for synchronous playback of

13

Page 15 of 25

media when the second zone scene is invoked, wherein the second zone player is

different than the third zone player;

after receiving the first and second indications, continuing to operate in the standalone

mode until a given one of the first and second zone scenes has been selected for invocation;

after [[a]] the given one of the first and second zone scenes has been selected for

invocation, receiving, from the network device over the data network, an instruction to operate in

accordance with [[the]] a given one of the first and second zone scenes respectively comprising a

given one of the first and second predefined groupings of zone players; and

based on the instruction, ~~beginning~~ transitioning from operating in the standalone mode

to ~~operate~~ operating in accordance with the given one of the first and second ~~zone scenes~~

predefined groupings of zone players such that the first zone player ~~playback device~~ is

configured to coordinate with at least one other zone player in the given one of the first and

second predefined groupings of zone players over a data network in order to play back ~~audio~~

media in synchrony with ~~one or more other playback devices in the media playback system~~ the at

least one other zone player in the given one of the first and second predefined groupings of zone

players.

16.   (Currently Amended) The method of claim 15, wherein the instruction to operate in

accordance with the given one of the first and second zone scenes comprises an instruction to

operate in accordance with the first zone scene, and wherein ~~beginning~~ transitioning from

operating in the standalone mode to ~~operate~~ operating in accordance with the given one of the

first and second ~~zone scenes~~ predefined groupings of zone players comprises ~~beginning~~

transitioning from operating in the standalone mode to ~~operate~~ operating in accordance with the

14

first predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate with at least the second zone player to play back ~~audio~~ media in synchrony with ~~one or more other playback devices of the second zone~~ at least the second zone player.

17.   (Currently Amended) The method of claim 16, wherein the instruction is a first instruction, the method further comprising:

while operating in accordance with the first predefined grouping of zone players ~~zone scene~~, receiving, from the network device over the data network, a second instruction to operate in accordance with the second predefined grouping of zone players ~~zone scene~~; and

based on the second instruction, (a) ceasing to operate in accordance with the first predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is no longer configured to coordinate with at least the second zone player to play back ~~audio~~ media in synchrony with at least the second zone player ~~the one or more other playback devices in the second zone~~ and (b) beginning to operate in accordance with the second predefined grouping of zone players ~~zone scene~~ such that the first zone player ~~playback device~~ is configured to coordinate with at least the third zone player to play back ~~audio~~ media in synchrony with ~~one or more other playback devices in the third zone~~ at least the third zone player.

18.   (Currently Amended) The method of claim 16, wherein the first zone scene further comprises an indication of predetermined media to be played when the first zone scene is invoked, the method further comprising:

15

based on the instruction, <u>coordinating with at least the second zone player to play</u> ~~playing~~ back the predetermined media in synchrony with ~~the one or more other playback devices in the second zone~~ <u>at least the second zone player</u>.

19.   (Currently Amended) The method of claim 15, wherein the instruction to operate in accordance with the given one of the first and second zone scenes comprises an instruction to operate in accordance with the second zone scene, and wherein ~~beginning~~ <u>transitioning from operating in the standalone mode</u> to ~~operate~~ <u>operating</u> in accordance with the given one of the first and second ~~zone scenes~~ <u>predefined groupings of zone players</u> comprises ~~beginning~~ <u>transitioning from operating in the standalone mode</u> to ~~operate~~ <u>operating</u> in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is configured to <u>coordinate with at least the third zone player to</u> play back ~~audio~~ <u>media</u> in synchrony with ~~one or more other playback devices of the third zone~~ <u>at least the third zone player</u>.

20.   (Currently Amended) The method of claim 19, wherein the instruction is a first instruction, the method further comprising:

while operating in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~, receiving, from the network device over the data network, a second instruction to operate in accordance with the first <u>predefined grouping of zone players</u> ~~zone scene~~; and

based on the second instruction, (a) ceasing to operate in accordance with the second <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is no longer configured to <u>coordinate with at least the third zone player to</u> play back ~~audio~~ <u>media</u> in

synchrony <u>with at least the third zone player</u> ~~the one or more other playback devices in the third zone~~ and (b) beginning to operate in accordance with the first <u>predefined grouping of zone players</u> ~~zone scene~~ such that the <u>first zone player</u> ~~playback device~~ is configured to <u>coordinate with at least the second zone player to</u> play back ~~audio~~ <u>media</u> in synchrony with ~~one or more other playback devices in the second zone~~ <u>at least the second zone player</u>.

17

<div align="center">**REMARKS**</div>

1.   Summary of the Office Action

In the Non-Final Office action dated July 5, 2019, ("the Action") the Examiner rejected claim 1-20 under 35 U.S.C. § 103 as allegedly being unpatentable over Yamaha DME Designer Version 3.5 Owner's Manual ("the DME Manual").

2.   Summary of Examiner Interview

A telephonic Examiner Interview took place on August 5, 2019. Participants included Examiner Paul McCord and Applicant's representative Brandon Kennedy. During the interview, the participants discussed the rejections of the claims as well as suggested amendments to the claims. No agreement regarding allowance was reached. Applicant thanks the Examiner for his time in conducting the interview.

3.   Amendment to the Specification

In the present response, pursuant to 37 CFR 1.57(g), Applicant inserts material into the specification and figures that was previously incorporated by reference in this application, and the amendment contains no new matter. In particular, the inserted material can be found at least at pp. 5-6 and 17 of Appendix A to provisional application 60/825,407, the entirety of which was incorporated by reference on the filing date of this application.

4.   Status of the Claims

Without conceding the merits of the claim rejections, Applicant has amended claims 1-20. Claims 1-20 are pending, of which claims 1, 8, and 15 are independent and the remainder are

<div align="center">18</div>

dependent. Support for the claim amendments can be found generally throughout Applicant's specification. No new matter has been added by way of these amendments.

5.   Response to Rejections of Claims 1-20 under 35 U.S.C. § 103

As noted above, the Examiner rejected independent claims 1, 8, and 15 under § 103 as unpatentable over the DME Manual. In doing so, the Examiner admitted that "DME does not explicitly teach the inclusion, exclusion, etc. of particular enumerated first, second, etc. players of the set of available players to form, create, save, recall etc. a particular first, second, etc. grouping." Action at p. 4. However, the Examiner continued that "Examiner takes official notice that the grouping and sub-grouping of a constellation of audio players to include or disclude particular players from an operational set was well known in the art before the effective filing date of the instant invention and would have been an obvious inclusion." *Id.* Applicant respectfully disagrees, and submits that the DME Manual does not teach at least:

> "while operating in a standalone mode in which the first zone player is configured to play back media individually…;
> > (i) receiving...a first indication that the first zone player has been added to a first zone scene comprising a first predefined grouping of zone players…; and
> > (ii) receiving…a second indication that the first zone player has been added to a second zone scene comprising a second predefined grouping of zone players…;"
> after receiving the first and second indications, continuing to operate in the standalone mode until a given one of the first and second zone scenes has been selected for invocation;"

in combination with the other elements of amended claims 1, 8, and 15. Further, the subject matter that the Examiner contends was "well known in the art before the effective filing date" does not correspond to that which is missing from the DME Manual. Moreover, the Action does not provide

19

any documentary evidence to support the finding of official notice, and the Applicant respectfully traverses the official notice on this basis. MPEP 2144.03.

In the Action, the Examiner construed a "DME unit" or an "SP2060 unit" in the DME Manual to the playback device (currently amended to the <u>first zone player</u>) found in Applicant's claims. *See e.g.*, Action at p. 3. With respect to the DME and SP2060 units, the DME Manual states that "[a] group of DME or SP2060 units assigned to the same function are considered a 'Device Group'." DME Manual at p. 3.

Further, the DME Manual states that "it is possible to have multiple Zones in an Area, multiple Device Groups in a Zone, and multiple Scenes and Configurations in a Device Group." *Id.* at p. 5. Thus, with reference to the hierarchy shown graphically at p. 3, a scene in the context of the DME Manual (a "DME Scene") is created and applied at the level of a device group.

However, individual devices in the DME system (i.e, individual DME units or SP2060 units) cannot be assigned to multiple device groups or overlapping device groups. "A zone can include up to 32 device groups, and all devices will belong to **_one_** of those groups. Click [Device Group Manager] in the [Tools] menu to open tile 'Device Group Manager' window, via which device groups can be changed as required." *Id.* at p. 281 (emphasis added). Thus, DME Scenes can be configured/stored/recalled within a given DME device group that is already established— but the DME Manual does **_not_** suggest that recalling a DME Scene can re-group individual devices into different DME device groups.

Further, Applicant has also reviewed the Takemura reference (US Pub. 2005/0195999) that was cited by the Examiner in co-pending application 15/130,919 and raised in the Examiner Interview on August 5. Takemura discusses components of the DME system that are referred to in the DME Manual, but with some changes in terminology that that Applicant will highlight for

20

the sake of clarity. For example, echoing the DME Manual, Takemura states that "a group of the mixer engines (or a mixer engine) cooperatively operated in the audio signal processing is defined as a zone." Takemura at [0090]. Thus, the smallest grouping in individual unit(s) in the DME system, referred to as a "device group" in the DME Manual, is instead referred to as a "zone" in Takemura.

During the interview, the Examiner pointed to Figure 7 of Takemura and suggested that it may teach the elements found in Applicant's claims. However, Applicant has reviewed Takemura and respectfully submits that Takemura also does not teach the limitations that are missing from DME.

For example, like the DME Manual, Takemura is clear that "one mixer engine never belongs to the plural zones in the same area." Takemura at [0091]. Similarly, Takemura teaches that a mixer engine E1 "stores only the current scene concerning the zone to which the engine E1 currently belongs since the engine E1 never belongs to the plural zones concurrently." *Id.* at [0124]. Further, Figure 6 of Takemura shows a data storage diagram ("stored on the PC side") that illustrates each zone in a given area having, as a subset of the data stored for the zone, its own scene data. Thus, consistent with the DME Manual, a "scene" in Takemura deals with component configuration(s) and parameter(s) within an established grouping of mixer engine(s), such as the group shown in Figure 4 of Takemura.

Consequently, Takemura also does _**not**_ teach that recalling a scene can re-group individual engines. Indeed, changing between the illustrated zone groupings of "Area 1" and "Area 2" in Figure 7 of Takemura is not accomplished via a scene recall in Takemura. Nor does the process for changing between such zone groupings as discussed in Takemura correspond to Applicant's amended claims in any event. For example, Takemura states "[w]hen the user selects an area in

21

the navigate window 60 described above to instruct a change to this area, the PC 30 performs

processing associated with the area change. However, this processing includes transferring zone

data on the new area to the mixer engines in the mixer system and other processing, which require

a certain length of time . . . The above-described processing associated with the area change is

shown in the flowchart in FIG. 12." Takemura at [0136], [0138].

At most, Takemura teaches that the different groupings of mixing engines shown in Figure

7 may be stored at the PC 30 of Takemura. But Takemura only discusses "transferring zone data

on the new area to the mixer engines in the mixer system" when a user instructs the system to

complete the area change. Nowhere does Takemura teach or suggest that an individual mixing

engine capable of:

> "while operating in a standalone mode in which the first zone player is
> configured to play back media individually…;
>> (i) receiving...a first indication that the first zone player has been
>> added to a first zone scene comprising a first predefined grouping of zone
>> players…; and
>> (ii) receiving…a second indication that the first zone player has been
>> added to a second zone scene comprising a second predefined grouping of
>> zone players…;"
> after receiving the first and second indications, continuing to operate in the
> standalone mode until a given one of the first and second zone scenes has been selected for
> invocation;"

Applicant has also reviewed the Cobranet and Ethersound references mentioned by the

Examiner during the interview and respectfully submits that they also do not teach the limitations

discussed above that are absent from DME and Takemura.

Because DME does not teach every element of independent claims 1, 8, and 15, the DME

Manual does not render claims 1, 8, and 15 unpatentable. Consequently, Applicant requests

withdrawal of the § 103 rejections of claims 1, 8, and 15 over the DME Manual, and submits that

claims 1, 8, and 15 should be allowed. Further, Applicant submits that dependent claims 2-7, 9-

22

Page 24 of 25

14, and 16-20 should be allowed as well for at least the reason that they each depend from an allowable independent claim.

6.   Conclusion

For at least the foregoing reasons, Applicant submits that the claims are in condition for allowance. Applicant thus respectfully requests favorable reconsideration and allowance of the claims. Applicant does not acquiesce in any assertion by the Examiner that is not expressly addressed by these remarks. Should the Examiner wish to discuss this case, the Examiner is encouraged to call the undersigned at (312) 754-9315.

<div style="text-align:right">

Respectfully submitted,

**LEE SULLIVAN SHEA &
SMITH LLP**

</div>

Date: August 23, 2019   By: /Brandon J. Kennedy/
                                                            Brandon J. Kennedy
                                                            Reg. No. 67,894

<div style="text-align:center">

23

</div>